# IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 414 OF 2007
IN
FIRST APPEAL NO. 111 OF 2003

1.SHRI FRANK MORAES(DEC) THROUGH L.RS. ... Applicants

Versus

SHRI INACIO COUTINHO AND 10 ORS., ... Respondents

Ms. Cybil Britto, Advocate for the applicant.
Mr. S.S. Kakodkar, Advocate for the respondents No. 3(a), 3(b) & 4.
Ms. R. Chodankar, Addl. Govt. Advocate for the respondents No. 5,6,7 & 9.

Coram:- R. S. MOHITE, J.

Date:- 30th August, 2007

P.C.

Heard the Advocate for the applicant. This application is for declaration of/ and service upon the respondent No.2 in respect of M.C.A. 679/2005 in First Appeal No.111/2003. The bailiff report is of dated 12.4.2006. It is clear that the respondent No.2 was present when bailiff visited his house. The respondent No.2 refused to accept the notice. In the circumstances, it appears that service upon the respondent No.2 is complete. Hence, M.C.A. 679/2005 and F.A. 111/2003 to proceed on the basis that respondent No.2 has been duly served. M.C.A. disposed of.

R. S. MOHITE, J.

SMA